

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA
PITTSBURGH DIVISION**

ROVER PIPELINE LLC

Plaintiff,

v.

**ROVER TRACT NO. PA-WA-HL-
004.500 COMPRISED OF
TEMPORARY EASEMENT(S)
TOTALING 1.3600 ACRES, MORE
OR LESS, OVER A PARCEL OF
LAND IN HANOVER TOWNSHIP,
WASHINGTON COUNTY,
PENNSYLVANIA, TOTALING 49.571
ACRES, MORE OR LESS, AND
IDENTIFIED AS PARCEL NO. 340-
034-00-00-0010-00, AS MORE
PARTICULARLY DESCRIBED
HEREIN**

James M. Buchanan and Diane Zack
Buchanan Farm #4, LP, a Pennsylvania
Limited Partnership, et al.,

Defendants.

Civil Action No. 2:19-cv-00292-AJS

ROVER PIPELINE LLC’S MOTION TO RE-OPEN CASE

Plaintiff Rover Pipeline LLC (“Rover”), by and through its counsel, hereby submits this Motion to Re-Open Case, as follows:

1. On March 15, 2019, Rover filed its Verified Complaint for Condemnation of Temporary Easements, naming ten tracts to be condemned (ECF 1).
2. On March 19, 2019, Rover filed a Motion for Partial Summary Judgment and Immediate Access and Possession of Temporary Easement(s) to be Condemned (ECF 5).

3. A hearing on said motion was held on March 28, 2019, at which time Rover informed the Court that it had settled with all defendants except one, The Old Wilson Farm Land Trust (“Old Wilson”).

4. However, subsequent to the March 28, 2019, hearing, Defendant McDonald Rod & Gun Club had not returned the executed, notarized easement extension agreement that formed the basis of Rover’s settlement offer.

5. On April 17, 2019, Rover filed a renewed Motion for Partial Summary Judgment and Immediate Access and Possession of Temporary Easement(s) to be Condemned as to Defendant McDonald Rod & Gun Club (ECF 44).

6. By Order dated May 16, 2019, this Court granted said motion, granting Rover the property rights described in the Verified Complaint but the grant of partial summary judgment did not affect the right of McDonald Rod & Gun Club to just compensation (ECF 51).

7. Therefore, this matter has not been resolved as to just compensation to McDonald Rod & Gun Club.

8. On May 29, 2019, Rover and Old Wilson participated in a mediation session pursuant to the Court’s ADR procedures, which resulted in a resolution between these parties.

9. A Report of Neutral was filed on May 30, 2019, indicating the case has resolved (ECF 56).

10. By Text Order dated May 30, 2019, this case was marked closed (ECF 57).

11. However, McDonald Rod & Gun Club did not participate in the ADR mediation with Rover and Old Wilson as Rover was unable to successfully correspond with McDonald Rod & Gun Club to schedule said mediation.

12. Therefore this matter should be re-opened to resolve the issue of just compensation to McDonald Rod & Gun Club.

WHEREFORE, Rover Pipeline LLC respectfully requests that the Court re-open this matter.

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the foregoing document was electronically filed with the Court's ECF filing system on this 20th day of June, 2019, such that a true and correct copy of the foregoing document will be served on counsel of record who participate in the ECF system electronically.

A copy was also served on this 20th day of June, 2019, upon the following by U.S. First Class Mail:

McDonald Rod & Gun Club
a Non-profit Pennsylvania Corporation
c/o Samuel Snatchko and/or Douglas Ganchuk
2110 Lynwood Dr.
Aliquippa, PA 15001

McDonald Rod & Gun Club
a Non-profit Pennsylvania Corporation
c/o Samuel Snatchko and/or Douglas Ganchuk
115 Ganchuk Way
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